



IFW# ✓

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,506	04/12/2004	Carl G. Hellerqvist	22100-0202 (49530-299673)

CONFIRMATION NO. 3571

## FORMALITIES LETTER



\*OC000000012985323\*

23370  
 JOHN S. PRATT, ESQ  
 KILPATRICK STOCKTON, LLP  
 1100 PEACHTREE STREET  
 SUITE 2800  
 ATLANTA, GA 30309

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

## Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

07/30/2004 MAHMED1 00000065 10823506

01 FC:2001  
 02 FC:2051

385.00 OP  
 65.00 OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$450 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Kilpatrick Stockton LLP

Country Application

As of June 22, 2004

9292

Case Number: 299673 Country: United States of America Sub Case: 299673  
Case Type: DIV Attorney(s): JLG LSP AAM LLA  
Title: 22100-0202 GBS TOXIN RECEPTOR  
Owner: VANDERBILT UNIVERSITY  
Client: 49530 ANGIOPATH, INC. Ref.#: VU-9861  
Agent: Ref.#:  
Filing Date: 12-Apr-2004 Status: PENDING  
Application No: 10/823506 Priority Date: 22-Jul-1999  
Publication Date:  
Publication No:  
Expiration Date:  
Tax Start Date: Tarif: SE  
Keyword(s): G.A.U.# 1623  
Modification Date: 06-May-2004

Abstract:

Invention Remarks:

\*RELATED CASES: DIV OF 09/359167 FILE 07/21/1999 WHICH CLAIMS PRIORITY TO 60/093843 (07/22/1998)  
\*REEL: 010198 FRAME: 0935-0937  
\*COPY OF POA AND COPY OF PAPER SEQUENCE LISTING, AND COPY OF DECLARATION AND POA FILED WITH APPLICATION 04/12/2004  
\*PER E-MAIL DATED 04/19/2004 FROM ELENA POLOVNIKOVA AND CHRISTY FLAGER STATES; DOCKET TO FILE AND IDS AND A SECOND PRELIMINARY AMENDMENT ONCE A PRELIMINARY FILING RECEIPT IS RECEIVED. ROLL THIS ACTION TILL THE INFORMAL FILING RECEIPT COMES IN.  
\*CONFIRMATION NO. 3571

Remarks:

Actions:

Action Due	Due Date	Indicator	Action Taken	Response Sent
ASSIGNMENT FILED	26-Aug-1999	Final	<input type="checkbox"/>	
ASSIGNMENT RECORD DATE	26-Aug-1999	Final	<input type="checkbox"/>	
PRELIMINARY AMENDMENT FILED	12-Apr-2004	Final	<input type="checkbox"/>	
INFORMAL FIL.RECEIPT REC'D.	19-Apr-2004	Final	<input type="checkbox"/>	
REMINDER TO FILE IDS	30-May-2004	Reminder	<input type="checkbox"/>	
FORMAL FILING RECEIPT REC'D.	22-Jun-2004	Final	<input type="checkbox"/>	
CLAIM PRIORITY REMINDER	12-Jul-2004	Reminder	<input type="checkbox"/>	

---

**Kilpatrick Stockton LLP****Country Application***As of June 22, 2004*

---

INFORMATION DISCLOSURE STMT	12-Jul-2004	Computer	<input type="checkbox"/>
REMINDER TO FILE 2 PREM/AMEND	15-Jul-2004	Reminder	<input type="checkbox"/>
MISSING PARTS DUE	18-Jul-2004	Reminder	<input type="checkbox"/>
CLAIM PRIORITY DEADLINE	12-Aug-2004	Final	<input type="checkbox"/>
MISSING PARTS DUE	18-Aug-2004	Due Date	<input type="checkbox"/>
MISSING PARTS DUEW/1MTH EOT	18-Sep-2004	Due Date	<input type="checkbox"/>
MISSING PARTS DUE W/2 MTH EOT	18-Oct-2004	Due Date	<input type="checkbox"/>
MISSING PARTS DUE W/3MTH EOT	18-Nov-2004	Due Date	<input type="checkbox"/>
MISSING PARTS DUE W/4 MTH EOT	18-Dec-2004	Due Date	<input type="checkbox"/>
MISSING PARTS DUE W/5 MTH EOT	18-Jan-2005	Final	<input type="checkbox"/>

---



PATENTS

## IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of: **Carl G. Hellerqvist et al.**

Docket No. 22100-0202 (49530-299673)

Serial No. 10/823,506

Filed: **April 12, 2004**For: **GBS Toxin Receptor****RESPONSE TO NOTICE TO FILE MISSING PARTS – FILING DATE GRANTED**

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are papers in the above-identified application.

- ☒ Formalities Letter – Notice to File Missing Parts of Application – Filing Date Granted.  
☒ Response.  
☐ The additional fee is calculated as shown below.  
☒ Applicant claims small entity status.

FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE			\$385	385	\$770	
TOTAL CLAIMS	1 - 20 =		x9 =		x18 =	
INDEP. CLAIMS	1 - 3 =		x43 =		x86 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+145 =		+290 =	
<input checked="" type="checkbox"/> LATE-FILING SURCHARGE			+65 =	65	+130 =	
<input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE			+130 =		+130 =	
<input type="checkbox"/> OTHER					+435 =	
TOTAL				450	TOTAL	

- ☒ A check in the amount of \$450.00 is attached.  
☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450, on July 26, 2004.

Elena S. Polovnikova, Ph.D. - Reg. No.

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
Telephone: 404/815-6500

By:

Elena S. Polovnikova, Ph.D.  
Agent for Applicant  
Reg. No. 52,130



**Practical Application of:**

**Carl G. Hellerqvist and Changlin Fu**

Serial No. 10/823,506

Filed: April 12, 2004

For: **GBS Toxin Receptor**

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts which was mailed on June 18, 2004, Applicants state that the Sequence Listing filed in the present application is identical to the Sequence Listing which was filed in related parent application US 09/359,167 filed on July 21, 1999. Pursuant to 37 C.F.R. § 1.821(e), Applicants respectfully request that the Computer Readable Form (CRF) of the Sequence Listing filed in the parent application be used to fulfill the CRF requirements in the present application. Pursuant to 37 C.F.R. § 1.821(e) and (f), the Sequence Listing contained in the paper copy, previously filed, is identical to the CRF which was filed in the parent application and to be used in the present application. The paper copy and the CRF contain no new subject matter.

Respectfully submitted,

KILPATRICK STOCKTON LLP  
1100 Peachtree Street; Suite 2800  
Atlanta, Georgia 22100-0202  
(404) 815-6500  
Our Docket: 22100-0202 (49530-299673)

Anna S. Plouffe

Elena S. Polovnikova, Ph.D.  
Patent Agent  
Reg. No. 52,130

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 26, 2004.

Elena S. Polonikova

Elena S. Polovnikova - Reg. No. 52,130